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OF THE

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HOUSTON:

[redacted]

1838.

STANDING RULES

FOR CONDUCTING BUSINESS

IN THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF TEXAS

1846

[redacted]

be required, the speaker shall [redacted] which being reproved, he shall rise and leave the debates of the house.

5. When any motion or proposition is made, the question "Will the house now consider it?" shall not be put, unless it is demanded by some member, or is deemed necessary by the speaker.

6. The speaker shall examine and correct the journal before it is read, he shall have a general direction of the hall: he shall have a right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

7. All committees shall be appointed by the speaker, unless the house shall otherwise order; in which case they shall be appointed by ballot, and if, upon balloting, the number required shall not be elected by a majority of the votes given, the house shall proceed to a second ballot, in which a plurality of votes shall prevail; and, in case a greater number than is required to compose or complete a committee, shall have an equal number of votes, the house shall proceed to a further ballot or ballots.

8. In all other cases of ballot than for committees, a majority of the votes given shall be necessary to an election; and where there shall not be such a majority on the first ballot, the ballot shall be repeated until a majority is obtained.

9. In all cases of ballot by the house, the speaker shall vote; in other cases he shall not vote, unless the house be equally divided, or unless his vote, if given to the minority, will make the division equal; and in case of such equal division, the question shall be lost.

10. In all cases where other than members of the house are to be eligible to an office by the election of the house, there shall be a previous nomination.

11. All acts, addresses, and joint resolutions, shall be signed by the speaker, and all writs, warrants, and subpœnas, issued by order of the house, shall be under his hand and seal, attested by the clerk.

12. In case of any disturbance or disorderly conduct in the galleries or lobby, the speaker (a chairman of the committee of the whole house) shall have power to order the same to be cleared.

13. Stenographers, wishing to take down the debates, may be admitted by the speaker, who shall assign such places to them on the floor or elsewhere, to effect their object, as shall not interfere with the convenience of the house.

[redacted]

OF DECORUM AND DEBATE.

16. The business specified in the two preceding rules shall be done at no other part of the day, except by permission of the house.

17. When any member is about to speak in debate, or deliver any matter to the house, he shall rise from his seat, and respectfully address himself to "Mr. Speaker," and shall confine himself to the question under debate, and avoid personality.

18. If any member in speaking or otherwise, transgress the rules of the house, the speaker shall, or any member may call to order, shall immediately sit down, unless permitted to explain, and the house shall, if appealed to, decide on the case, but without debate; if there be no appeal, the decision of the chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall not be permitted to proceed without leave of the house; and if the case require it, he shall be liable to the censure of the house.

19. When two or more members happen to rise at once, the speaker shall name the member who is first to speak.

20. No member shall speak more than twice to the same question, without leave of the house, nor more than once until every member choosing to speak shall have spoken.

21. If a question pending be lost by adjournment of the house, and revived on the succeeding day, no member who shall have spoken twice, on the preceding dayy, shall be permitted again to speak without leave.

22. Whilst the speaker is putting any question, or addressing the house, none shall walk out of or across the house; nor in such case, when a member is speaking, shall entertain private discourse; nor whilst a member is speaking shall pass between him and the chair.

23. No member shall vote on any question in the event of which, he is immediately and particularly interested, or in any case where he was not present when the question was put.

24. Upon a division and count of the house on any question, no member without the bar shall be counted.

25. Every member who shall be in the house when the question is put, shall give his vote, unless the house, for special reasons, shall excuse him.

26. When a motion is made and seconded, it shall be stated by the speaker, or being in writing, it shall be handed to the chair, and read aloud by the clerk before debated.

27. Every motion shall be reduced to writing, if the speaker or any member require it.

28. After a motion is stated by the speaker, or read by the clerk, it shall be deemed to be in possession of the house, but may be withdrawn at any time before a decision or amendment.

29. When the question is under debate, no motion shall be received but to adjourn, to lie on the table for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely; which several motions shall have precedence in the order in which they are arranged: and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall be again allowed on the same day and at the same stage of the bill, or proposition. A motion to strike out the enacting words of a bill, shall have precedence of a motion to amend, and if carried, shall be considered equivalent to its rejection.

30. When a resolution shall be offered, or a motion made, to refer any subject, and different committees shall be proposed, the question shall be taken in the following order: The committee of the whole house on the state of the republic, the committee of the whole house, a standing committee, a select committee.

31. A motion to adjourn shall be always in order; that and the motion to lie on the table, shall be decided without debate.

32. The previous question shall be in this form: "shall the main question be now put?" it shall be only admitted when demanded by a majority of the members present; and until it is decided, shall preclude all amendments and further debate on the main question.

33 On a previous question there shall be no debate.

34. When a question is postponed indefinitely, the same shall not be acted upon during the session.

35. Any member may call for the division of a question, which shall be divided, if it comprehends questions so distinct, that, one being taken away, the rest may stand entire for the decision of the house: a motion to strike out being lost, shall preclude neither amendment nor a motion to strike out and insert.

36. Motions and reports may be committed at the pleasure of the house.

37. No motion or proposition on a subject, different from that under consideration, shall be admitted under color of amendment.

38. When a motion has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof, on the same or the succeeding day: and such motion shall take precedence of all other questions, except a motion to adjourn.

39. When the reading of a paper is called for, and the same is objected to by any member, it shall be determined by a vote of the house.

40. A proposition requesting information from the president of the republic, or directing it to be furnished by the head of either of the executive departments, or by the post master general, shall lie on the table one day for consideration, unless otherwise ordered by the unanimous consent of the house; and all such propositions shall be taken up for consideration, in the order they were presented immediately after reports are called for from select committees, and when adopted, the clerk shall cause the same to be delivered.

41. Petitions, memorials, and other papers, addressed to the house, shall be presented by the speaker, or by a member in his place: a brief statement of the contents thereof shall verbally be made by the introducer, and shall not be debated or decided on the day of their being first read, unless where the house shall direct otherwise, but shall lie on the table, to be taken up in the order they were read.

42. Any ten members (including the speaker, if there be one,) shall be authorized to compel the attendance of absent members.

43. Upon calls of the house, or in taking the ayes and nays on any question, the names of the members shall be called alphabetically.

44. Any member may excuse himself from serving on any committee at the time of his appointment, if he is then a member of three other committees.

45. No member shall absent himself from the service of the house, unless he have leave *or* be sick and unable to attend.

46. Upon the call of the house, the names of the members shall be called over by the clerk, and the absentees noted; after which the names of the absentees shall again be called over, the doors shall then be shut, and those for whom no excuse, or insufficient excuse are made, may, by order of those present, (if ten in number,) be taken into custody as they appear, or may be sent for and taken into custody wherever to be found, by special messengers to be appointed for that purpose.

47. When a member shall be discharged from custody, and admitted to his seat, the house shall determine whether such discharge be with or without paying fees; and in like manner, whether a delinquent member taken into custody by a special messenger, shall or shall not, be liable to defray the expense of such special messenger.

48. A sergeant-at-arms shall be appointed, to hold his office during the pleasure of the house, whose duty it shall be to attend the house during its session; to execute the commands of the house from time to time, together with all such process issued by authority thereof, as shall be directed to him by the speaker.

49. The fees of the sergeant-at-arms shall be, for every arrest the sum of two dollars; for each day's custody and release-ment, one dollar, and for travelling expenses, for himself or special messenger, going and returning, twelve and a half cents per mile.

OF BILLS.

50 Every bill shall be introduced by motion for leave, or by an order of the house, on the report of the committee, and in either case, a report of the committee to prepare the same shall be appointed.

51. Every bill shall receive three several readings in the house previous to its passage: all bills shall be despatched in order as they were introduced, unless where the house shall direct otherwise; but no bill shall be twice read on the same day without special order of the house.

52. When a bill shall pass, it shall be certified by the clerk, noting the day of its passage at the foot thereof.

53. The first reading of a bill shall be for information, and if opposition be made to it, the question shall be, "shall this bill be rejected?" If no opposition be made, or if the question to reject be negative, the bill shall go to its second reading without a question.

54. Upon the second reading of a bill, the speaker shall state it to every [illegible] and if committed, then the question shall be, whether to a select or standing committee, or to a committee of the whole house, the house shall determine on what day. But if the bill be ordered to be engrossed, the house shall appoint the day when it shall be read the third time.

55. After commitment and report thereof to the house, or at any time before its passage, a bill may be recommitted.

56. Not more than three bills, originating in the house, shall be committed to the same committee of the whole; and such bills be analogous in their nature, which analogy shall be determined by the speaker.

57. All bills ordered to be engrossed, shall be executed in a fair, round hand.

58. No amendment by way of rider shall be received to any bill on its third reading

OF COMMITTEES OF THE WHOLE.

59. It shall be a standing order of the day throughout the session, for the house to resolve itself into a committee of the whole on the state of the Republic.

60. In forming a committee of the whole house, the speaker shall leave his chair, and a chairman to preside in committee, shall be appointed by the speaker.

61. Upon bills committed to a committee of the whole house, the bill shall be first read throughout by the clerk, and then again read and debated by clauses, leaving the preamble to be last considered; the body of the bill shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the clerk on a seperate paper, as the same shall be agreed to by the committee, and so reported to the house; after report, the bill shall again be subject to be debated and amended by clauses before a question to engrose it be taken.

62. All amendments to an original motion in committee, shall be incorporated with the motion and so reported.

63. All amendments made to a report committed to a committee of the whole house shall be noted and reported, as in case of bills.

64. All questions, whether in committee or in the house, shall be propounded in the order in which they were made, except that, in filling up blanks, the largest sum and longest time shall be first put.

[redacted] of proceedings in the [redacted] observed, [redacted] of the whole house, so far as they [redacted] rule limiting the time of [redacted] shall have spoken.

[redacted] standing rule or order of the [redacted] changed without one day's notice. [redacted] Nor shall any rule be suspended, except by a vote of at least two-thirds of the members present. Nor shall the order of business, as established by the rules of the house, be postponed or changed, except by a vote of at least two-thirds of the members present.

68. It shall be in order for the committee on enrolled bills to report at any time.

69. No person shall be permitted to perform divine service in the chamber occupied by the house of representatives, unless with the consent of the speaker.

70. The rules for paying witnesses summoned to appear before this house, or either of its committees, shall be as follows:—For each day a witness shall attend, the sum of two dollars; for each mile he shall travel in coming to, or going from, the place of examination, the sum of twelve and a half cents each way; but nothing shall be paid for travelling home when the witness has been summoned at the place of trial.

71. The several standing committees of the house shall have leave to report by bill or otherwise.

72. No committee shall sit during the sitting of the house without special leave.

73. The clerk of the house shall take an oath for the true and faithful discharge of the duties of his office, to the best of his knowledge and abilities, and shall be deemed to continue in office until another be appointed.

74. All questions of order shall be noted by the clerk, with the decision, and put together at the end of the journal of every session.

75. Whenever confidential communications are received from the president of the Republic of Texas, the house shall be cleared of all persons except the members, clerk, reporter, ser-

house, and dissented to in the other, if either house shall

3. The same ceremony

5. While bills are on their passage between the

or clerk of each house respectively.

6. After a bill shall have passed both houses, it shall be duly enrolled on paper by the clerk of the house of representatives or the secretary of the senate, as the bill may have originated in the one or the other house, before it shall be presented to the president of the Republic of Texas.

7. When bills are enrolled, they shall be examined by a joint committee of two from the senate and two from the house of representatives, appointed as a standing committee for that purpose, who shall carefully compare the enrolment

engrossed bills originated in the houses, and correspondences that may be discovered in the enrolled bills, shall report such bills to the respective houses.

9. After examination and report, such bill shall be signed in the respective houses, first by the speaker of the house of representatives, then by the president of the senate.

10. After a bill shall have been thus signed in each house, it shall be presented by the said committees to the president of the Republic of Texas for his approbation, it being first endorsed on the back of the roll, certifying in which house the same originated, which endorsement shall be signed by the secretary or clerk, (as the case may be,) of the house in which the same did originate, and shall be entered on the journal of each house. The said committee shall report the day of presentation to the president, which time shall also be carefully entered on the journal of each house.

10. All orders, resolutions and votes which are to be presented to the president of the Republic of Texas for his approbation, shall also in the same manner, be previously enrolled, examined and signed, and shall be presented in the same manner, and by the same committee, as provided in the cases of bills.

11. When the senate and house of representatives shall judge it proper to make a joint address to the president, it shall be presented to him in his audience chamber, by the president of the senate, in the presence of the speaker and both houses.

12. When a bill or resolution which shall have passed in one house, is rejected in the other, notice thereof is to be given to the house in which the same may have passed.

13. When a bill or resolution, which has been passed in one house, is rejected in the other, it is not brought in during the same session, without a notice of ten days, and leave of two-thirds of that house in which it shall be renewed.

14. Each house transmits to the other all papers on which any bill or resolution shall be founded.

15. After each house shall have adhered to their disagreement, a bill or resolution is lost.

16. No bill or resolution that shall have passed the house of representatives and the senate, shall be presented to the president of the Republic for his approbation on the last day of the session.

17. When bills which have passed one house are ordered to be printed in the other, a greater number of copies shall not be printed than may be necessary for the use of the house making the order.